

## REMARKS

This application has been reviewed in light of the Office Action dated January 27, 2005. Claims 1-8, 21-28, 41-48 and 74-79 are presented for examination. Claims 1, 6, 21, 26, 41, 46, 75, 77 and 79 have been amended to define still more clearly what Applicant regards as his invention. Of the claims remaining under consideration (see below) Claims 1, 21 and 41 are in independent form.

The Office Action required restriction to one of the following inventions:

Group I:        Claims 1-8, 74 and 75, drawn to a server capable of communicating with a client and a device, comprising a first management means for managing information representing ability of said device, second management means for managing information representing ability of a device driver, which is executed by the client for the device; retrieval condition reception means for receiving, from the client, a retrieval condition for selecting the device, etc. classified in class 709, subclass 223;

Group II:       Claims 9-12, 29-32 and 49-53, drawn to a client capable of communicating with a server comprising transmission means for transmitting to said server a retrieval condition for selecting a device; reception means for receiving a retrieval result which is based on the retrieval condition, device ability information and information representing ability of a device

driver for the device, and which is expressed in a form for discriminating a function executable by the device driver, etc., classified in class 709, subclass 203; and

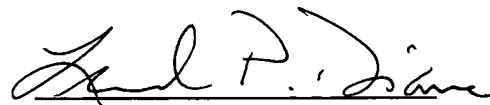
Group III: Claims 14-19, 34-39 and 54-59, drawn to a device capable of communicating with a server, which transmits to a client a retrieval result in response to a retrieval condition sent from client for retrieving a device comprising first transmission means for transmitting information representing ability of said device to the server and second transmission means for transmitting, to the server, information representing ability of a device driver, which is executed by said client, for said device, classified in 709, subclass 217.

Applicant notes that, on its face, this restriction requirement is set out improperly, in that the Office Action fails to identify which group(s) Claims 13, 21-28 and 41-48 belong to. Based on the descriptions of the three Groups provided in the Office Action, Applicant believes that Claims 21-28 and 41-48 were intended to be included in Group I, and Claim 13, in Group II. If Applicant's understanding on this point is not correct, issuance of a corrected Office Action is requested (without any reduction of any term adjustment to which Applicant may be entitled, since the error is on the part of the Patent and Trademark Office).

In response to the restriction requirement as best understood, Applicant elects, without traverse, to prosecute Claims 1-8, 21-28, 41-48 and 74-79 of Group I in the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Leonard P. Diana", written over a horizontal line.

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